

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

October 22, 2001

D034652 People v. Aguilar

The judgment is affirmed. Huffman, Acting P.J.; We Concur: McIntyre, J., McDonald, J.

D035969 People v. Thomas

The judgment is affirmed. McDonald, J.; We Concur: Benke, Acting P.J., Haller, J.

D035394 Sarasota, Inc. v. Laughlin

The judgment is affirmed. Respondent shall recover its costs on appeal. Nares, Acting P.J.; We Concur: Benke, J., McDonald, J.

D038592 In re Robles on Habeas Corpus

The petition is denied.

D037504 In re Aguilar on Habeas Corpus

The petition is denied.

D038383 In re Humphries on Habeas Corpus

The petition is denied.

D038443 In re I.O. et al., a Juvenile

The appeal is dismissed. Nares, J.; We Concur: Benke, Acting P.J., Haller, J.

D038849 People v. Aparicio

The appeal is dismissed as appellant waived his appeal rights. (People v. Aparicio (1999) 74CalApp 4th 286.)

D038944 Lange v. Superior Court of San Diego County/People

The petition is dismissed.

D038937 Morisky v. Superior Court of San Diego County/Morisky

The petition is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

October 23, 2001

D038039 In re A. M. a Juvenile

The order selecting adoption as A. M.'s permanent plan and termination Patricia's parental rights is affirmed. McIntyre, J.; We Concur: Kremer, P.J., O'Rourke, J.

D038130 In re D. L. a Juvenile

The judgment is affirmed. Haller, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D037136 People v. Howe

Judgment affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

October 24, 2001

D038841 In re Grady on Habeas Corpus

The petition is denied.

D038662 City of San Diego v. Workers' Compensation Appeals Board and Ehmann

The petition is denied.

D037930 In re Annette S., a Juvenile

The judgment terminating Maria's parental rights is affirmed. Nares, Acting P.J.;

We Concur: McIntyre, J., O'Rourke, J.

D038810 Barbara P. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Barbara P. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

D038127 CE Generation L.L.C. v. Public Utilities Commission of the State of California

The petition is denied.

D036200 People v. Ray

The request for publication of the opinion is denied.

D036983 Demeo, Inc. v. Fryer

The judgment is affirmed. Appellant to bear costs on appeal. O'Rourke, J.; We Concur: Kremer, P.J., McIntyre, J.

D036915 International Truck and Engine Corporation v. California Air Resources Board et al.

The judgment is affirmed. O'Rourke, J.; We Concur: Huffman, Acting P.J., McIntyre, J.

D034624 Whispering Ridge Homeowners Association v. Chaudry

The request for publication of the opinion is denied. The petition for rehearing is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

October 25, 2001

D036122 New Hampshire Insurance Company et al. v. Fidelity & Deposit Company of Maryland et al.

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., McDonald, J.

D037566 People v. Lavery

The judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D038106 People v. Korkis

D038108 People v. Korkis

The judgments are affirmed. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D038959 Conservatorship of the Person and Estate of Winter

The appeal is dismissed as the conservatee is not permitted to file a notice of appeal.

D036354 Arenas v. Board of Supervisors of San Diego County et al.

The judgment is affirmed. Arenas is awarded costs on appeal. CERTIFIED FOR PUBLICATION. Benke, J.; We Concur: Kremer P.J., Huffman, J.

D036117 Cleveland v. Harder

The judgment is affirmed. Dr. Harder is awarded costs on appeal. O'Rourke, J.; We Concur: Kremer, P.J., McIntyre, J.

D038925 People v. Lopez

The appeal is dismissed without prejudice for failure to comply with Penal Code Section 1237.5.

D036573 People v. Borsellino

The judgment is affirmed. Kremer, P.J.; We Concur: McIntyre, J., O'Rourke, J.

D035450 In re Tobacco Cases II

The judgment dismissing plaintiffs' lawsuit is affirmed with defendants entitled to costs on plaintiffs' appeal. The appeal by defendant BAT Industries is dismissed with the parties to bear their own costs on BAT Industries' appeal. CERTIFIED FOR PUBLICATION. Kremer, P.J.; We Concur: Haller, J., McDonald, J.

D033892 People v. Davis

The Superior Court is directed to modify the abstract of judgment to reflect the imposition of the full consecutive term under section 667.6 for the count 4 term and to forward an amended abstract to the Department of Corrections. In all other respects the judgment is affirmed. Huffman, J.; We Concur: Kremer, P.J., McIntyre, J.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

October 25, 2001 (Continued)

D037871 Sharon S. v. Superior Court of San Diego County/Annette F.

The petition for writ of mandamus is granted. The superior court is directed to vacate its order denying Sharon's motion to dismiss Annette's adoption petition, granting Annette visitation and compelling responses to discovery and payment of sanctions and to enter a new order granting the motion to dismiss the adoption petition. Each party is to bear their own costs. CERTIFIED FOR PUBLICATION. McIntyre, J.; I Concur: McDonald, J.; I Dissent: Kremer, P.J.

D035749 People v. Styles

The conviction and sentence for carjacking and its enhancements are affirmed. The conviction for robbery and its enhancements are affirmed. The sentence for robbery is reversed. The trial court shall amend the judgment to stay the sentence for robbery and advise the Department of Corrections of the amended sentence. Huffman, J.; We Concur: Kremer, P.J., O'Rourke, J.

D035167 People v. Rodriguez

The judgment is affirmed. O'Rourke, J.; We Concur: Kremer, P.J., McIntyre, J.

D037817 People v. Williams

Judgment affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D036222 Robell et al. v. Provenzano et al.

The petition is denied.

D038562 In re Williams on Habeas Corpus

The petition is denied.

D036837 Fred Lowenschuss Associates v. Lerach et al.

The petition for rehearing is denied.

COURT OF APPEAL OF STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE

October 26, 2001

D037260 In re Myron P., a Juvenile

The judgment is affirmed. Nares, J.; We Concur: Kremer, P.J., Benke, J.

D036330 In re the Marriage of Jordan

The order is affirmed. McDonald, J.; We Concur: Huffman, Acting P.J., O'Rourke, J.

D037946 In re Andrew D., a Juvenile

The orders are affirmed. Kremer, P.J.; We Concur: Huffman, J, McDonald, J.

**D038714 Brad M. v. Superior Court of San Diego County/San Diego County Health and
Human Services Agency**

The attorney for petitioner Brad M. has notified the court on behalf of the petitioner that a Petition for Writ of Mandate under Rule 39.1B will not be filed as there are no viable issues for writ review. The case is dismissed.

**D036705 San Diego County Deputy Sheriffs Association et al. v. San Diego County Civil
Service Commission et al.**

The judgment is affirmed. Costs on appeal are awarded to respondent. McIntyre, J.;
We Concur: Kremer, P.J., O'Rourke, J.

D036533 People v. Winters, Jr.

The judgment is affirmed. CERTIFIED FOR PUBLICATION. McIntyre, J.; We Concur: Kremer, P.J.
Huffman, J.

D037133 People v. Oros

The judgment is affirmed. Kremer, P.J.; We Concur: Huffman, J., O'Rourke, J.

D037197 Estate of Vickery, Deceased

The judgment is affirmed. Marlin is entitled to recover his costs on appeal. McIntyre, J.;
We Concur: Kremer, P.J. O'Rourke, J.

D038612 Ace Boiler, Inc., et al. v. St. Paul Surplus Lines Insurance Company, et al.

Upon filing a written abandonment of appeal, the appeal is dismissed.

D038554 In re Willard on Habeas Corpus

The petition is denied.

D038204 Custom Air Systems, Inc. v. Transcontinental Insurance Company

We reverse the summary judgment in Transcontinental's favor, and affirm the order denying Custom's summary judgment motion. Each party to bear its own costs on appeal. Haller, J.;
We Concur: Benke, Acting P.J., McDonald, J.

D038482 In re Marriage of Wagner

On the court's own motion the order of dismissal filed September 26, 2001, is vacated and the appeal is reinstated.